

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

ELIZABETH SINES, *et al.*,

Plaintiffs,

v.

JASON KESSLER, *et al.*,

Defendants.

CASE No. 3:17-cv-00072

NOTICE

JUDGE NORMAN K. MOON

Monday, October 25, 2021 at 9:30 a.m.

ANTICIPATED CIVIL JURY SELECTION INTRODUCTORY REMARKS

After the judge takes the bench, the jurors will be brought into the courtroom and seated throughout gallery in random order.

I. THE CLERK CALLS THE CASE

Will the Clerk please call the case?

Is everyone ready to proceed? Are Plaintiffs' counsel ready? Are Defendants' counsel ready?

II. INTRODUCTION

Thank you for coming in today.

[[COVID Notices]]

Before we begin the process of juror selection, I first wish to give you a brief overview of some of the steps the Court has taken and is taking to minimize the risk of spread of COVID-19.

First, the standing orders of this Court require everyone to wear a mask that covers their nose and mouth while in public areas of the courthouse, unless a court official specifically directs otherwise. That applies to everyone. Whether vaccinated or unvaccinated.

Second, access to the courthouse has been limited to persons involved in this case. That includes court staff, litigants, attorneys, witnesses, and limited media.

Third, the Court has ordered all persons in the courtroom to practice social-distancing, except counsel, litigants, and court staff.

Fourth, pursuant to the Court's standing orders, all court employees, including judges, chambers staff, and staff of the Clerk's Office, must either be vaccinated or conduct a COVID-19 test at least weekly.

Fifth, this Court has specifically ordered all litigants, lawyers, witnesses and court staff in this case to attest before coming into the courthouse that they are either vaccinated or have tested negative within 3 days of their appearance. If there are any witnesses who can't meet those rules, they would testify by Zoom.

Sixth, the Court has ordered extra cleaning of touchpoints, frequently touched surfaces, and bathrooms during this trial.

And lastly, specifically for jurors: The Court will require all jurors (of which the Court expects there will be 12 jurors), to be always masked. Jurors will also be socially distanced in the gallery.

[[Summary of Case]]

Before we begin the process of juror selection, I wish to give you a general overview of this case so that you know what it is about and can better answer my questions. This is a civil lawsuit brought by multiple Plaintiffs against multiple Defendants, including individuals and organizations, based on events that occurred in Charlottesville, Virginia in August 2017. The Plaintiffs in this case claim that the Defendants and others conspired to commit racially motivated violence at an event the Defendants called United the Right, which was held in Charlottesville on August 11 and 12, 2017. Plaintiffs allege that the Defendants helped to plan, promote, or carry out racially motivated violent acts during that event and, in doing so, caused Plaintiffs physical, emotional, and monetary harm. Such acts include a violent torch march on August 11, and various acts of violence on August 12, including a car attack that drove through a large crowd of people, injuring seven of the nine Plaintiffs in this case.

Defendants deny that they conspired with anyone to commit violence or that they are responsible for any injury or damages suffered by Plaintiffs.

If you are selected to serve as a juror in this case, you will be asked to decide

whether the Plaintiffs proved that the Defendants engaged in a conspiracy to commit racially motivated violence and harmed Plaintiffs as a result. Later, I will explain the elements of each of Plaintiffs' claims in greater detail to those of you who serve on the jury.